

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AFFYMETRIX, INC., :
 :
Plaintiff, :
 :
v. : Civil Action No. 04-901 JJF
 :
ILLUMINA, INC., :
 :
Defendant. :

O R D E R

WHEREAS, for the reasons discussed on the record by the Court at the status conference held in this matter on Wednesday, February 15, 2006;

NOW THEREFORE IT IS HEREBY ORDERED that:

1. The Court will schedule a claim construction hearing in this matter for **Thursday, April 20, 2006, at 1:30 p.m.**;
2. Defendant's Motion For Leave To File First Amended Answer And Counterclaims (D.I. 163) is GRANTED;
3. The antitrust counterclaim, Count VII, in Defendant's First Amended Answer And Counterclaims is STAYED for later consideration by the Court;
4. Each party shall, **no later than Thursday, March 2, 2006**, remedy all deficiencies in its discovery production claimed by the opposing party in the letters submitted in preparation for the February 15, 2006 conference (D.I. 212 & 214);
5. If, after March 2, either party remains unsatisfied

with the other party's discovery production, it shall, **no later than Monday, March 6**, notify the Court of the matters remaining in dispute. The Court will schedule evidentiary hearings on those matters as necessary;

6. Defendant's Motion To Compel Documents Relating To Non-Enablement And Reduction To Practice (D.I. 100) is **DENIED** as moot.

February 17, 2006
DATE


UNITED STATES DISTRICT JUDGE